THE HON'BLE SRI JUSTICE N.V. RAMANA

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WRIT PETITION NO.28340 of 1996

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Dated: 19.09.2005

Between:

Sava Koteswara Rao, S/o Bapaiah.
Ponugupadu Village, Phirangipuram (M),
Guntur District.

..... PETITIONER

AND

1 The Collector, Guntur, Guntur District and another.

....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.28340 of 1996

ORDER:

The petitioner, who is a member of Ponugupadu Gram Panchayat, filed the present writ petition questioning the action of the respondents in shifting the S.W. Boys Hostel from Ponugupadu to Medikonduru village.

The case of the petitioner, in brief, is that about 21 years back the Government

established S.W. Boys Hostel at Ponugupadu and has been maintaining the same. It is stated that as per the norms, S.W. Boys Hostel requires the minimum strength of 50%, but during the year 1995-96 the strength of the Hostel was fallen from 70% to that of 40%. The grievance of the petitioner is that the respondents, instead of taking necessary steps to increase the strength of the Hostel, have ordered shifting of the same from Ponugupadu to Medikonduru village at the instance of local M.L.A., causing great inconvenience and loss to the Scheduled Caste and Scheduled Tribe students in and around the village. Hence, the present writ petition.

Respondents filed a detailed counter affidavit stating that the sanctioned strength of S.W. Boys Hostel, Ponugupadu is 100 students with a Warden and 3 other employees and in spite of taking necessary steps to increase the strength of the said hostel, its strength did not exceed 50% as against the sanctioned strength of 100 students during the years 1993-94, 1994-95 and 1995-96, and that the expenditure incurred on salaries of the staff is more than double to the expenditure of mess charges of hostel students. Hence, as per the instructions of the Government, the S.W. Boys Hostel, Ponugupadu was shifted to Medikonduru, which is a Mandal Headquarter and where the demand is more for a Hostel than at Ponugupadu; vide proceedings dated 10.09.1996 of the District Collector, Guntur, and the same has been functioning there since 29.09.1996. It is further stated that as per the norms of the Government the students above 5 KMs distance are eligible for admission in any hostel, and since the distance between Ponugupadu and Medikonduru is below 5 KMs, shifting of hostel from Ponugupadu to Medikonduru will not hamper the interests of the Scheduled Caste and Scheduled Tribe students in that locality in any way.

Heard the learned counsel for petitioner and learned Government Pleader for Social Welfare.

The main contention of the learned counsel for the petitioner is that there is no need to shift the S.W. Boys Hostel from Ponugupadu to Medikonduru village, and shifting of the said Hostel from Ponugupadu to Medikonduru village is causing great inconvenience and loss to the Scheduled Caste and Scheduled Tribe students of Ponugupadu village.

On the other hand, learned Government Pleader for Social Welfare while reiterating the counter averments submitted that the Government has taken a policy decision to

re-organise the S.C. Hostels by shifting unviable hostels having below 50% of strength within the assembly constituency, and accordingly, since the strength of S.W. Boys Hostel, Ponugupadu, did not exceed 50% as against the sanctioned strength of 100 students during the years 1993-94, 1994-95 and
1995-96, and the demand is more for a hostel at Medikonduru than at Ponugupadu, the same was shifted to Medikonduru vide proceedings dated 10.09.1996. He further submits that as per the norms the students above 5 KMs distance are eligible for admission in any hostel and since the distance between Ponugupadu and Medikonduru is below 5 KMs, shifting of hostel from Ponugupadu to Medikonduru will not cause any inconvenience to the students of Ponugupadu village.

A perusal of the record would show that the sanctioned strength of S.W. Boys Hostel, Ponugupadu is 100 students with a Warden and three other employees. Admittedly, the strength of the said hostel did not exceed 50% as against the sanctioned strength of 100 students during the years 1993-94, 1994-95 and 1995-96. Therefore, the Government has taken a policy decision to shift the S.W. Boys Hostel from Ponugupadu to Medikonduru, which is a Mandal Headquarter and where the demand is more for a hostel than at Ponugupadu, and accordingly, the said unviable Hostel was shifted to Medikonduru vide proceedings dated 10.09.1996, and the same has been functioning there since 29.09.1996. Apart from that, it is also clear that as per the norms of the Government the students above 5 KMs distance are eligible for admission in any hostel, hence, since the distance between Ponugupadu and Medikonduru is below 5 KMs, shifting of hostel from Ponugupadu to Medikonduru will not cause any inconvenience to the students of Ponugupadu village. In that view of the matter, there is no merit in the contention of the learned counsel for the petitioner.

The writ petition is devoid of merit and the same is accordingly dismissed. No costs.

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N.V. RAMANA, J.

Date: 19.09.2005

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